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## Winthrop Murray Crane of Massachusetts.

The proposition that Senator CRANE shall preside over the deliberations of the Chicago convention is full of interest. We have no idea whence the idea emanated, but it is as attractive as it is paradoxical

In the first place the Chicago convention has, theoretically at any rate, only one function to discharge, and that is the nomination of Mr. TAFT. Now, Mr. TAFT has had no more consistent or persistent opponent than Senator CRANE. He has left nothing undone that it lay in his power to do to defeat the nomination of Mr. TAPT. That he has indifferently prevailed in his opposition is in no wise to his discredit. He has fought the overwhelming power of the centralized bureau of political thuggery and assassination with which the Republican party has endowed the Executive and like every other honest and decent Republican in the country he has so far had to suffer defeat.

It seems to us, therefore, remarkable that such a man as Senator CRANE should be seriously considered for the chairmanship of a national convention whose duties and powers have been so rigidly prescribed and circumscribed by the authority which dictates the platform and orders the candidate. It is a passing strange and curious choice, whoever it may be that is to be credited with the making of it.

MURRAY CRANE will make an admirable chairman, providing he consents to act, which we permit ourselves to doubt, and providing further that there is no trickery or unclean work desired of him. He is quite incapable of that sort of thing. Indeed, in our opinion there is no finer figure in the Senate of the United States to-day than MURRAY CRANE. Morally d intellectually he dwarfs his colleagu and far surpasses any one who has sought to represent Massachusetts since the time of CHARLES SUMNER. His personal modesty and habitual self-effacement have kept him relatively in the background, but there is no one in the Senate more respected by his fellow members or whose intellectual stability and integrity they more admire.

We could wish that it had occurred to a beneficent Providence to cast MURRAY CRANE's lines on a scale more conspicuous; a futile aspiration, perhaps, since his party no longer possesses the moral force or self-respect to enable it to make its own nominations.

### Ratify the Arbitration Treaty With Japan.

The news from Washington which we printed on May 5, that Secretary Root and Ambassador TAKAHIRA had signed on behalf of their respective countries an arbitration treaty, was no doubt read with interest by all the Americans-many there were who during the late war did not hide their sympathy for Japan. The treaty is undoubtedly a step in the right direction.

We would not of course overrate the scope of the agreement. It expressly excludes all questions of vital importance to either signatory or involving the independence or honor of either contracting State, as well as all questions by which the interests of a third State might be affected. The treaty simply provides for the settlement by arbitration of disputes of a legal nature or relating to the consiruction of existing compacts between the parties. Moreover it is not binding for a long term, but will become inoperaive at the end of five years unless prefously renewed. Should it be allowed expire in 1913 the expiration of the glo-Japanese alliance would then be

v two years distant. it while too much need not be ex-Ped from this treaty there are several reans why it should be confirmed. In the st place other arbitration treatics of Pisely similar purport with other Powe have been negotiated by our State spartment and ratified by the Senate Our Government by the acts of its pleastenriaries at the last Hague conferen is under a moral obligation to complaith the recommendation of that body at the nations represented should ent into agreements with each other to ar rate all disputes which in their judgnet should be suitable for a: bitration. the advice is generally followed the amediate and practical results may bet is true, of no remarkable value, but e sincerity of the desire to substitute page for violent methods of adjusting cotoversies will at least have been demotrated. Moreover we could not now, withit subjecting Japan to invidious disclaination, refuse to arrange with her peaceful mode of settling differences tich we have willingly adopted in the se of other countries. Nor should we mit to add that a confirmation of this they will have the

effect of convincing the apanese that at

least two-thirds of thunited States

Senators share the feels of friendship

for them which has been seted repeat-

edly by Secretary Root. It would not and quality of the act he was doing or the Mikado's subjects.

There is not now, nor in there likely to be hereafter, any good ground for the interruption of our traditionally cordial relations with Japan so long as the Japanese laborers already residing in our based upon assumed facts not within his country shall receive the protection of personal knowledge, should not be perour laws. The Tokio Government has mitted. Nothing could be more abalready by means of municipal regulations taken steps which, as we understand, have proved effective to prevent its subjects from entering the United States either directly by landing at our Pacific ports or indirectly by crossing the Canadian or the Mexican border. We then have absolutely no cause to complain of Japan so far as the immigration question is concerned, and no one disputes that the Japanese who are already here have a right to stay. Common sense ought to teach the people of California and the other Pacific States the defendant and ascertain for himnot to violate those rights and thus offer | self the facts upon which he predicates an unprovoked indignity which no high spirited nation could afford not to resent.

the arbitration treaty with Japan ought to be ratified forthwith. He gives twice who gives quickly.

## Bryan Up to Date.

As the days pass Mr. BRYAN's once brilliant prospects seem to contract and fade. Last summer's inference that he led the party merely in default of a serious rival is receiving daily confirmation, for as alternatives are proposed so does the Bryan enthusiasm diminish in respect of both its dimensions and its intensity. The appraisement of a year ago takes on new features of probability with each succeeding revelation.

So far, of the Southern States where BRYAN must get his following if he is to succeed only one appears to be genuinely bound to him, and that one is Texas. Owing to the deplorable intestine quarrel over BAILEY the followers of both factions were compelled to commit themselves. Now that it has been decided by an almost imperceptible margin in BAILEY's favor the only substantial fruit of the abominable conflict seems to be a delegation instructed for BRYAN. And yet it is not forgotten in Texas that when BRYAN visited the State last summer, ostensibly on a tour of political observation and arrangement, he took advantage of an otherwise dull Sunday to deliver two sermons with "Christ" for his subject, charging admission for the same and netting not less than \$1,000 on the whole enterprise. Even in Texas they are beginning to suspect that BRYAN wants the Denver nomination not because he expects to be elected but because he proposes to retain the party leadership as a standing claim to deference and a species of compulsion upon paying audiences for his lectures. There is no doubt that his two sermons on "Christ," with the incidental charge for entrance tickets, left a very uneasy if not painful impression upon thoughtful Texas minds. He appears to have the delegates this time, but even at that by a very questionable tenure.

For the rest, and looking elsewhere, we discern for BRYAN only diminishing prospects and more languid interest. South Carolina is not going to "instruct' for him in the sense that he desires and demands. Louisiana is frankly hostile, and even in Alabama, where it was expected that the primaries would make things safe for him, albeit dangerously indifferent, there has arisen recently a ferment of antagonism which may work disastrously. Whether all these portents, obvious to the observant everywhere, have impressed themselves upon Mr. BRYAN himself does not matter in the least. The question is not what rays of light may penetrate his immense selfconsciousness. The question of importance is the influence of ascertained and flagrant facts upon the situation. And in considering it with an open mind we must remember that nobody worth mentioning dreams that he can be clected,

# Medical Expert Testimony.

A recent experience in a criminal court of this city has attracted more than ordinary attention to the unsatisfactory status of the testimony of medical experts. This interest is evident from the fact that the Medical Society of the State of New York, in which more than one-half of the profession in this State is enrolled. at a recent meeting appointed a committee to confer with another committee from the Bar Association of New York for the purpose of formulating a bill intended to become a law for the regulation of medical expert testimony in the State of New York.

In an address just delivered before the New York Academy of Medicine, ex-Judge Rufus B. Cowing, whose long experience upon the bench and especially in criminal cases should entitle his observations and criticisms to respect, made some suggestions of great value in their bearing upon this important

subject. First of all, he asserts that much of the just and harsh criticism made against medical expert testimony which has brought it into disrespect and disrepute among the people generally is due to its partisan character, which is invariably shown from the fact that the expert always gives his opinion in the interest of the party by whom he is called and paid. He furthermore pointed out the absurdity of the practice in a trial of permitting a medical expert to act in the double rôle of witness and adviser to the counsel

trying the case. In a criminal case where the defence is the insanity of the defendant it is insisted that a witness should have made a special study of psychology and should be wholly familiar with the law's definition of insanity. By the law of this State a person is not excused from criminal liability as an insane person except upon proof that at the time of committing the alleged criminal act he was laboring under such a defect of to suffer. Nor do I believe that the burden of proof

be easy to exaggerate the usefulness of not to know the act was wrong. In arousing such a conviction. It would order to establish the defence of insanity almost certainly bring about a resump- as an excuse for an otherwise criminal tion of the negotiations for a treaty for act it must be shown that the mind of the exclusion of Japanese coolie labor- the defendant was so diseased at the ers hereafter from the United States, time of committing the act that he did negotiations which Japan abandoned not have sufficient mental capacity to after the San Francisco outbreak against | form a criminal intent and did not know | that the act which he was committing was wrong.

Judge Cowing declares that the practice of allowing a medical expert to give his opinion upon a hypothetical case, surd than the usual long drawn out hypothetical questions which are based only upon a portion of the evidence, and usually upon that portion only which is most favorable to the party asking the question. As a rule these questions are unfair and misleading, and instead of aiding a jury to arrive at a correct conclusion they tend to mystify and confuse them to such an extent as often to cause a miscarriage of justice. He declares that an expert not possessing sufficient ability to examine personally his opinion should not be allowed to give it. Moreover, the rule regulating For these reasons it is undeniable that the admissibility of the opinions of nonexperts or lay witnesses upon the mental condition of a person should be applied to expert witnesses.

At the meeting at which the address of Judge Cowing was made the president of the Academy, a member of the compointed furnish to the court or courts in of good standing, and of not less than pert in medicine and surgery. From this list the court may select such expert or experts as in its judgment may be required. Such experts shall be paid out of the treasury of the county a fixed fee, and they may be called by any court of the State. Testifying as unprejudiced witnesses, employed only by the court, it is evident that their opinion will bear more weight with the court and the jury than that of an expert paid by a given side for a given service.

Such a law enacted would not prevent a person from employing any expert as witness, but in view of the fact that little if any weight is now given by a jury to the testimony of a witness paid by one or the other side in the trial, such expert testimony would be rarely em-

It is believed that if this bill becomes effective it will result in the saving not only of a large amount of money paid annually by the people for medical expert testimony, but, by limiting the number of experts to not more than four in any given trial, will shorten the period of trial and in this way expedite the business of the courts and lessen the costs of a trial.

# City Hall.

If Mrs. SAGE obtains permission to restore the interior of City Hall to its original condition she should insist on a pledge from the city that her work will not be undone at the first opportunity that presents itself. Unless she does this her efforts in behalf of good art and history will be in vain.

In the century of its life the outside of City Hall has not been ruined by "improvement," "repair" or otherwise. The reason of its preservation is the astonishing excellence of its construction. Inside it has been "done over" many times. Some of these rebuildings have been rendered necessary by the needs of the city government, but most of them have been undertaken in order to gratify the ambition of office holders who wished to impress themselves upon a public monument, or wanted to distribute some of the taxpayers' money among their friends. Neither good taste nor good judgment has been used in these assaults on the building, and honest workmanship has been as conspicuous by its absence as it is by its presence in the portions of the original structure that remain in place.

To restore the building now without making provision against the grafting office holders of the future, who will always see in it golden opportunities for lining their pockets, would be wasteful of time and effort. If Mrs. SAGE can lure the city into a contract to leave the structure alone for a considerable period of time after she has restored it her bencfaction will be admirable.

# Justice for the Soldiers.

Reluctance on the part of Senators to go to a vote on the Brownsville affair can be interpreted only as a deplorable exhibition of both moral and political cowardice. There is no longer ground for support of the President's assertion that "many of these non-commissioned officers and men must have known, and all of them may have known, circumstances which would have led to the conviction of those engaged in the murderous assault," or for his assertion that "some of the non-commissioned officers and many of the men have banded together in a conspiracy to protect the assassins and would-be assassins." Even the President's supporters now admit that some of the soldiers, perhaps many and possibly most of them, were not concerned in the affair either as principals or as accessories.

The proper view for those who do not agree with the conclusions of Mr. FOR-AKER and Mr. BULKELEY was exceedingly well expressed by Senator FULTON:

"While I became satisfied beyond any question my own mind that this shooting was done by some few members of this organization, yet there is absolutely no proof whatever of the identification of any individual, and I cannot bring my mind to consent to the proposition that because some few may have been guilty that all of these members who were unquestionably innocent should be made reason as either not to know the nature | should be put on them. That is repugnant to all

of the laws which we have looked upon as necessary for the protection of individual rights and the lib erty of the individual. I think that where they purge themselves by making a proper affidavit, disclaiming any connection with the affray, they

should be allowed to reenlist." This is precisely the substance of the Foraker bill for the reinstatement of the soldiers and the correction of their records. That bill carries a provision that if at any time after such reenlistment any evidence be offered indicating the guilt of any of them nothing in the restoring act shall be construed as preventing prosecution and trial under civil law or by court-martial.

Such a course might offend Mr. RoosE-VELT's pride of opinion, and it may seem to some of his supporters and adherents a disagreeable backdown. It is certainly in the line of right and justice, and we hope there is no man in the United States Senate who lacks the courage to act justly or to do what is right.

As we see the matter, no Senator can afford to become a party to a crime so offensive as that of punishing innocent men simply because of the utter failure of both civil and military legal machinery to detect the guilty.

Not Entirely Satisfactory. New York State, having undertaken certain reforesting projects in the Adirondack preserve, has imported from Germany 950,000 seedling trees. Of these 500,000 are three years old, the others two. The three year old trees will be planted this year, the others being kept in nurseries until 1909.

There is no reproach to the State in mittee appointed by the State Medical its adoption of an intelligent policy of Society, submitted the conclusions forest renewal and preservation, but the reached, which the committee of the Bar necessity of purchasing the seedlings Association would be asked to amend or from European producers indicates a approve. It embodies the idea that the highly neglectful attitude on the part of leading medical organizations of the Americans to the practical needs of a State shall through committees ap- situation that has been discussed widely for ten years. It will not be questioned the various counties a list of the names | that the trees can be grown in this counof the members of the medical profession | try; that the land, the skill and the labor can be got here; yet New York, a State seven years actual practice, recom- not more anxious than any other to throw mended by them as competent and ex- business to foreigners, finds it necessary to go abroad for material when it wants to replenish its forests.

Incidents of this kind make us wonder sometimes whether the American of today is as preternaturally sagacious, as superhumanly farsighted, as commercially superior, and in every respect as far in advance of all other dwellers on the globe as he likes to be told he is.

We respectfully direct the attention of Congress to the expediency of adding to the Public Buildings bill a provision for the erection, preferably in the District of Columbia, of a tasteful and commodious Bastille. Lettres de cachet could then be much more conveniently and humanely issued in such cases as that of General STEWART.

Should that unfortunate man succumb to the rigors of his confinement in an abandoned Arizona jail or elsewhere, the circumstance might have its disadvantages in arousing an actual public interest in his case. A comfortable and reasonably civilized incarceration reasonably contiguous to the White House would minimize this

### & Good Man's Eulogy of the West Virginia Penitentiary.

TO THE EDITOR OF THE SUN-Sir: In your recent article on "Convicts and Good Hoads you take a very gloomy if not desperate view of the life, treatment and prospect of the convict in the prison and penal institutions of the country and of the South especially. All that you state in the article may have been true and may have been practised at one time, but I can say that it has not been thus in our State penitentiary for many years, and I can mention to you also the institutions of Maryland and Kentucky. Many other States have humanitarian systems whose principle is reform and are very successful at that.

Without going into the merits of the indoor contract labor system, which is part of the sociological question and seems to be recognized as the only respectable satisfactor employment for the convict, I wish to state that we have no lockstep, poor food or iron that we have no lockstep, poor food or fron fetters, no such corporal punishments as pic-tured, and but a small number of men wear-ing stripes; but we have divine services every Sunday in a specially constructed place of worship, with fine organ music and a trained choir; we have a well assorted, intelligently ged library; we have a night school ent classes for those unfortunates w different classes for those unfortunates who need it, and many innocent annesments. Our sanitary conditions are perfect, and our sick list is below the normal of any rural community. Through the parole power of our board and the indeterminate sentence act prisoners endeavor to obtain their libert give good accounting of themselves, and consequence is that we do not have an able percentage of second termers re-

In regard to working the convicts for buildg public roads, the acts of the Legislature ovide for this privilege, if the respective anties want their labor, but so far not one unity has applied, as the expense of providing county has applied, as the expense of providing safe quarters and proper, guards perhaps one guard for every ten convicts would make the work as expensive as free labor. Neither do our farmers, their wives or daughters look with favor on the bringing of a number of such people into their neighborhood for months at a time. There would be constant danger and the risk is not worth the saving.

National Prison Association has directed many a step forward in the interest of this class of unfortunate humanity, and we endeavor in our sphere here to follow in that spirit, and, as stated before. I believe many a similar institution has returned a better toan than it received. H. C. Sanford, Chaplain, Moundsville, W. Va., May 4.

# The Threat of the Bryanites

\*To the Editor of The Sun-Sir: If the inde-pendent vote is indispensable to the Democrats if ney are to succeed this year, i would like to ask If the Bryan vote is not also necessary If the Demo-

rats are to succeed.

The editorial opponents of Mr. Bryan seed ake the position that they will not support Bryan inder any circumstances, but that if Bryan and his select there is a good chance of electing him predatory interests represented by most of the New rk newspapers will not support Bryan or any body else who would be likely to use the Presidency to compel obedience to the law by the great mancial interests which control our Government,

Bryan, under conditions as they exist now, is the only possible candidate who can be nominated with any hope of success. If he is defeated in the Denver convention it will be because of financial influences emanating from New York, and his friends, who compose the great majority of the voters in the party, feeling that he has been defeated by improper means, will do what they did in 1904, refuse by the hundreds of thousands to go the polls at all. But perhaps that is the end desired by the enemies of Bryan. PAWTUCKET, R. I., May 5.

## New Hampshire's Model Mare. From the Plymouth Record.

The following verses are in regard to Mr. Adia bilbrick's falthful horse that died recently; We are sorry Adin has lost his horse, She was a faithful beast. Over eight years she was on the route, Every other day, at least.

With her he was always safe, Of autos she was not afraid, She was at work for Uncle Sam, A more faithful one was never made. Her task she had completed All right the day before, No wonder he was surprised When he opened his stable door.

She could see no end of work,
Thought enough that she had done,
So she quietly laid down and died
Before the morrow's sua,

AROUND THE GALLERIES.

At the forty-first annual exhibition of the American Water Color Society everything save oil color is admitted; pastels, wash drawings, miniatures, etchings, wood engravings, charcoal color washed, water color, canary birds, and finally the public. The latter can enter free on every day of the week except Friday and Saturday. No tyrannical masterpiece absorbs your attention in the three galleries of American Fine Arts on West Fifty-seventh street; which is well for a show so heavily ballasted with mediocre offerings. There is quantity, as is evidenced by the 610 numbers in the catalogue; quality is, naturally enough, rare. Whether the experiment of throwing open the doors to the public for five days a week will be successful we dare not venture to assert so early in the month. Thus far the free days have not had the attendance which the humble fee of 25 cents has provoked. No doubt later, when the fact is better bruited abroad, crowds will begin to appear. A good idea it is in the catalogue to give the price of each picture.

broadly decorative in the Venetian style. M. Kremelberg has a pastel of a young poet that is very attractive. There are several Childe Hassams, brilliant, fluent, picturesque. Albert Groll and Charles Warren Eaton contribute work in their well known nanner. Mr. Eaton's "Bellagio," a pastel, is admirable. Romantic is Clara Weaver Parrish's "In Old Paris." Louis Loeb in his accustomed rich key of composition has a chalk drawing, the model of which is pretty. Reynolds Beal's "Summer at Sea," a pastel, attracts much attention. A pastel called "Calicoes" is one of Jerome Myer's exhibits, an East Side bit cunningly handled. Glenn Newell, Charles Austin Needham, C. C. Curran, Helen Dapprich's portrait pastel, Clara W. Parrish's "Blue Door," Georgiana Timken Fry's "Sheep Shearing," and Florence Robinson's "Santa Maria della Salute." are all well represented and worth seeing.

A head in the central gallery by William Levy is one of the most characteristic in the collection. It is entitled "Sarah" and it appeals because of its simplicity and sincerity. Herbert W. Faulkner is brilliant in his "Fashion" (No. 132), and Mary Langtry's "Ducks" with the green-blue atmosphere contrives a posterlike effect. Cocks are fighting in Douglas Walters's water color, "The Rivals"; and Bela de Takach's "Refuge," with its vast Buddha in a green, mysterious night, is very effective. Walter Hartson has a Dutch canal. Heil's "Crows in Midwinter" is striking. Will H. Low's "Love the Ferryman" is decorative. There is feeling in Charles P. Gruppe's "Gray Day" and warm color in Frank Mathewson's "Bruges Canal." The etching groups are charming and frankly carry off the artistic palm of the exhibition. We have praised Charles Henry White's work before. It is here in abundant examples. Timothy Cole's superb reproduction in wood engraving of the old masters—lent by the Century Company—may be viewed, and to good reasons. Ask any of the great inventors of this country, Bell, Edison, Thomson, Brush, Weston and others, what "pecuniary benefits they have received from the much we have to fear from a patient war with Germany I leave it to yourself to infer. That the United Sates should adopt some measures for the protection of home invention is a perfectly obvious conclusion, particularly in view of the recent change in the British patient haw. NIKOLA TESLA. Century Company-may be viewed, and our resident master of the art, Henry Wolf, shows his lovely "Morning Mists," his "Thomas Jefferson," after Peale, the Vermeer

young woman described last winter in THE SUN-and his latest, an interpretation in black and white, marvellously true, of Manet's "Boy With the Sword," the original of which hangs in Gallery 24 at the Metropolitan Museum. Shan MacLaughlan's achievements in the representation of architecture are here in force, as are Charles Mielatz's notable etchings of American landscape and city views. There is nothing new to be said of Joseph Pennel, who is a master of the needle. A dozen of his French plates, "Rouen," "Beauvais," "Amiens," are old and beloved friends. Senseny Vanderhof. Vondrous, Roth, Kroll, Ethellyn Brewer De Foe, are happily housed in this gallery Mr. F. S. Church's graceful heads and studies, and Carroll Beckwith's suave. elegant drawings, tell us that these veter-

ans are in full possession of their talents. Some weeks ago we wrote of G. W. Bellows's drawing, "A Knockout," with its brutal verisimilitude. It was previously hung in a dark corner at a Forty-second street gallery. Now it may be seen in all its horror. It is a stunning little bit of felt the situation so strongly that your fingers tingle. There is smashing character in the outstretched figure of the defeated bruiser. Among the illustrators we encounter familiar names. Jules Guerin among them. This artist's "Chorus on a Stone Wall" is certainly novel. Penfield's Spanish Woman Dancing" is animated and colorful. But the number of frames preents us from entering into details.

Cullen Yates, George Wharton Edwardsbully Dutch interior -Ritschel's Katwyk impression, Gifford Beals's brilliant circus anecdote, Gordon Grant's "Kite," which gives us the kite's impression of the earth below, Needham's autumnal piece, Alethea Hill Platt's "Basket Maker's Home," another of Takach's fancies, "Incense Offering to Buddha," Bicknell's "Misty Morning," Lauber's . "Idyl," Maurice Prendergast's startling marine-children dabbling about at the sea's edge with toy boats-Anna Fisher's "English Village on a Wet Day," Colin Cooper Campbell's capital "Antwerp," Childe Hassam's "Green Jade Gown, Irving Wills's "Madrid," and Hilda Belcher's very attractive "Speculation" -a small boy whose face is a question mark-Josephi's "Summer Day," Wharton's glittering "Amalfi," Tony Nell's characteristic "Orange Boy," and William J. Whittemore's sweet "Visions of Childhood," furnish pleasure in the Vanderbilt Gallery. Petersen's ruggedly truthful "Cider Mill."

Hassam's "Bougival" and Hugo Ballin's "Wood Nymph" make a strong trio. Mr. Ballin is as ever graciously sensuous, and his color would melt in the mouth of the sourest Puritan. Two excellent Schneiders -W. G .- are the "Blue Fan" and "Green and Gray." Schneider has a highly developed decorative sense and a marked friends will only support a candidate that they | feeling for delicate nuances. C. C. Cooper's "Balloon Ascension" can be looked at more than once. Alexander Robinson, we are sorry to say, sends but one example of his vital, broad and dashing art. It represents in richly stained spots and patches the landing place near the fruit market in Venice. The fruit is superb. Luis Mora is impressionistic in his "Beach Picnic." Walter Satterlee, H. L. Hildebrandt and Carlton Chapman must be the names to close our notes of a fairly interesting exhibition. What must have been a very novel show was that recently held at the galleries of

Durand-Ruel, Rue Lafitte, Paris, of still life by Monet, Renoir, Sisley, Pissarro, Cézanne-who painted the humble turnip, potato and onion like a second Chardin that Velasquez of vegetables-Lerolle. André and d'Espagnat. A fervent lover of old masters, Mr. C. C.

Ruthrauff has lent to the National Arts Club some specimens from his private gallery. We read the names of Hogarth, both Morlands, Sir Joshua Reynolds, Sir Thomas Lawrence, J. M. W. Turner (a small marinea ship distressed wallows in the trough of an angry sea. If we mistake not we saw this picture a year ago in the gallery of a local picture dealer. It is unusual and forceful). Esteban March, Pantoja de la Cruz, El Greco represent the Spanish school. The French is recalled by the names of

Lantara, Gaspar Poussin, Watteau, Paguest, MORE THOUGHTS FOR DENVER Viger. Among the Italians are Francesco da Rosa, Tiepolo-a rather faded example-Albani, Pomponi and a large Pannini, a landscape with ruins. Without Claude's poetic tenderness in evoking the classic past or Piranesi's artful handling of decaying architectural masses so that they seem to

become alive with a sinister personal life,

Pannini is imposing and magisterial. Mr. Ruthrauff's example is characteristic. Dutch pictures are by minor masters. Brill, Boel, Van Goyen, Wynbrack, Rosa da Tivoli, Grimmer, Van der Werf, Cornelius von Haarlem, Von Hagan, Cornelius Schut, Tieling, Karel du Jardin-he of the hillsides and placid goats. This du Jardin is a woman milking. There is a Peter Paul Rubens -ominous name in any collection-but only a sketch for the "Battle of the Amazons' (so it is said). Mr. Ruthrauff must have enjoyed forming this collection, which if not extraordinary-and often tepid and shiny-is at least not pretentious. To be sure some of the labels might be shifted from one frame to another without any serious damage being done to the noble art of attri-W. H. Lippincott's "Helena" is a big pastel butions; but we do not propose to do the shifting. Sufficient for the day is the record

> thereof At the Montross Galleries there is a special exhibition of American painters: Dewing, Hassam, Inness, Lathrop, La Farge, W. L. Metcalf, A. P. Ryder, Twachtman, Tryon, Horatio Walker, H. C. White, J. Alden Weir and A. P. Proctor, which is peculiarly representative and about which there may be a few words to say later.

## PATENTS IN GERMANY. Complaints of Ill Treatment of American Inventors.

TO THE EDITOR OF THE SUN-Sir: In special cable despatch from Berlin in THE SUN of May 3 the president of the perial Patent Office is reported as saying that he did not recall a case in which the rights of unexploited American patents have been That statement reminds me withdrawn. painfully of at least one such case, the annulment by a special act of the Reichsgeriche of my patents on the transmission of power which deprived me of a great fortune. My discoveries in that field are the foundation of an immense industry in Germany, but it i of no benefit to myself or to the firm which undertook their introduction in that country. This, however, is not my only disappoint ing experience with the Imperial Patent Office. My application for my system of wireless transmission of energy, anticipating

all others, is still locked up there, while German companies are exploiting the advances in the art it disclosed.

I could say more, but it would be nothing novel, for such has been the uniform experience of American inventors. The ablest patent attorneys here now advise their clients, almost a rule, not to bother, with German rights.

NIKOLA TESLA.

## Lese Majesty

TO THE EDITOR OF THE SUN-NO news columns report the arrest of a clergyman by Federal officials for "defaming the mailing a letter on which was pasted a charge that the President belonged to murderous and bloodthirsty organizations. That the arcused denies mailing the letter does not affect the merits of the case. Whoever mailed in was foolish, but are we ready for less malest proceedings

Maybe we shall soon have a domestic brand of the stock German joke and our American version will read: Federal Official -- You are under arrest for say

Student-But I meant the president of our college.

Federal Official-That excuse is too thin. Only one President has an exaggerated ego NEW YORK, May 6. A. C. PLEYDELL

### A Letter to a Teacher on the East Side. TO THE EDITOR OF THE SUN Sir. The enclose tter is one of the best examples I have seen y of a foreigner's attempt to use the language of his

ness as possible In explanation of the letter and for the benefit of those not familiar with the requirements of the virtuosity and observation. Bellows has law concerning a girl's leaving school I will say that in order to take out "work papers" a gira mas be fourteen years old and have been promoted into the 5 B grade. The girl in question ha reached the required age, was in the 5 A grade, by only stood C in her work, a wark of course no high enough to insure her promotion at the end of the term into SE. The letter is one she brong't. alleging it to have been written by her cousin. says he is a physician. I have looked in valu for his name in the medical directory. He had weltter before, and evidently the first sentence of the letter am sending refers to the other one. He clearly wanted a little lenlency shown in the rating of the girl's work so that her standing would be sufficiently high for her promotion, thus allowing her to fulfil the requirements of the law. It certainly does dock with the dictionary. Can you imagine a finer

umble of words? Here is the letter. NEW YORK, May 6. A TEACHER. DEAR MISS: I have previously lastituted my ections favorable regarding the matter of Miss It is by direction of her poor mother that I behoove such steps and ask you to import kindness to act favorably in this case. regretting and quite gloomy to deprive her of edu ational opportunities, but I beg that this will b neutral, because she will be given in cellaneous instructions every evening, being that her cameets my sympathy and response to relief. How far my ability will permit I will aid her and hoping that you will assist me by mitigating as you will to makes family happier, I am. Respectfully yours. LUDLOW STREET, May 1.

# Casey at the Bat.

TO THE EDITOR OF THE SUN-SEC. In one of the paragraphs printed in to-day's SUN under the head ing "Books and Authors," that grand poem "Cases at the Bat" is attributed to one George Whiteheld D'Vrs. I am glad of this, for Mr. D'Vys the only writer, living or dead, to whom it has not been attributed-at least from Chancer to Eils Wheeler Wilcox. I have this on the authority of the man who really wrote the poem, Ernest Lawrence Thayer, Harvard '85, known to an admiring class and the few Brahmins who are aware of the actual authorship as Phinnie Thayer, Indeed, sir. rejoice that his publishers have entered Mr. D'Vys longed for the only missing one. NEW YORK, May 6. MAJOR MAX.

# Mr. Lincoln No Smoker.

TO THE EDITOR OF THE SUN-Sir: Abraham incoln was not a smoker. United States Senator elby M. Culloto, who knew Mr. Lincoin early and intimately, says; "Mr. Lincoln never used tobacco never used liquor, never swore."

John Hay, his private secretary and biographer, says: "Mr. Lincoln never used tobacco in any form, Never used liquor.". I knew Mr. Lincoln from 1852 to the day of his

assassination. I dined with him that day, I never knew him to use tobacco in any form, and he was always a total abstainer from both liquor and

# MIDDLEPIELD, Conn., May 5.

Our Websters. When it came to moving speech, Hearts and minds of men to reach Arguments on questions great Which could shape a nation's fate, Phrases which immortal grew Daniel knew a thing or two.

When It came to how to spell Words we knew and loved so well, With his method true and tried Which outlived the simplified With a triumph most sublime Noah got there every time.

When it came to forming ties By a Constitution wise. One which would through years to be With a fame time cannot rob

Peletiah did the job. MCLANDBURGH WILSON,

TO THE EDITOR OF THE SUN-Sir: 19 they who will control the Denver convention shall wish to give a fighting chance to the class of voters in New England, New York and New Jersey which stood by Tilden in 1876 and Cleveland in 1884 and 1892. heed will be given to the declaration by Woodrow Wilson in the last number of the North American Review that "we are now stripping the States of their powers and putting them in the hands of Federal commissions.

Dr. Wilson is a Virginian by birth but a Jerseyman by education in New Jersey's university. He has been long enough at the head of the university in Princeton to understand perfectly Northern opinion.

He defines the instrument now used to lestroy the vitality of the several States as that interstate commerce clause of the Constitution which zealous reformers advocate as a remedy and panacea for public ailments and an agent to accomplish ends not within the jurisdiction of Congress. No matter what the disease, the interstate commerce clause is now invoked. The Interstate Railway Commission or the Bureau of Corporations is the executive, legislative and judicial instrumentality. Every part of the economic movement and industrial activity of the country is swept into that

new agency of reform. Dr. Wilson reminds his readers of facts which now seem quite lost sight of:

We have been familiar from the first with groups f States united in interest and character; we have been familiar from the first also with groups of States contrasted by obvious differences of occu-pation and of development. These differences are almost as marked now as they ever were, and the vital growth of the nation depends upon our recog-nizing and providing for them. It will be checked and permanently embarrassed by ignoring them. We are too apt to think that our American politi cal system is distinguished by its central structure by its President and the Congress and courts, which the Constitution of the Union set up. As a matter of fact, it is distinguished by its local structure, b the extreme vitality of its parts. It would be an

mpossibility without its division of powers Mr. Roosevelt wrote in his biography of Gouverneur Morris that he commanded the entire sympathy of the biographer "for his thoroughgoing nationalism," for his disregard of State rights and for his wish to deny to the small States the equal representation in the Senate finally accorded to them and of which no amendment of this Constitution can deprive them.

Against such opinion Dr. Wilson throws a fatal criticism, which is that the stripping of the States now going on of the reserved powers stipulated in the Tenth Amendment is sapping the "vitality" of the Union. He adds with force:

If the lealousles of the Colonies and of the little tates which sprang out of them had not obliged the makers of the Constitution to leave the greate part of legal regulation in the hands of the States would have been wise, it would even have been necessary, to invent such a division of powers as was actually agreed upon. It is not at bottom a question of sovereignty or of any other politics abstraction: it is a question of vitality. Uniform regulation of the economic conditions of ritory and a various people like the United States would be mischievous, if not impossible The statesmanship which really attempts it is premature and unwise. Undoubtedly economic development of the country, particular the development of the last two decades, has oberated many boundaries, made many interesnational and common which until our own day we separate and distinct; but the lines of these great changes we have not yet clearly traced or st lousi; enough considered. To distinguish the and provide for them is the task which is to test plain that, great as they are, these new combinmake the States mere units of local governmen our legal conscience merely, but our practical interests as well, call upon us to discriminate at be careful, with the care of men who handle the

vital stuff of a great constitutional system Viedleation of those reserved rights ing that the President has an exaggerated ego. | the States may be a dead issue west of the Mississippi, as Mr. Bryan seems to fancy and as his partisans in the present House of Representatives are convincing the Northern and Eastern States is their opinion as Congressmen, but the Denver convention will do well not to disregard Dr. Wilsin's views. The Chicago Republican national convention of 1908 may, despite "my policies," be as wise regarding State rights as was its predecessor of 1896 regarding 16 to 1 and a gold standard. H. B. D.

ALBANY, May 6.

Safety Appliance for In-Swinging Doors, TO THE EDITOR OF THE SUN -SITE Where done open laward, as in schoolbouses and theatiimple errangement could be made to work besime certains by passing one end of a sent cord to rough a small pulley fastened in to upper boit of the door and tying the end in th lower buit, then running the free end through partition into the schoolcoom at right angles wit but door, near the celling, and carrying it to the side wall, rear the teacher's desk; always through suitable policy's, allowing the end to hang di within about six feet of the floor with a wood? toggle in end. This sash cord is not as large as lead pencil, and has a brenking strength of fittle thought will show its great possibilities

# HUNTINGTON MILLA, Pa., May 4.

From the Hortford Times, Arthur Deer'n Call tells a good story of Professor Phelos of Vale, as the popular professor of English Riterature is called by the boys. It dulged in a discussion of logic, and in the midster if the Second Company, Governor's Foot Guard, marched by in gala attire, with band playing and colors flying. The class adjourned to the windows o see the parade. After a moment of watching Professor Phelps remarked of the physique of the troops and observed dryly:

, there is a first rate example of just what we have been discussing, 'the undistributed

### Wool and Mutton. From the National Farmer.

Twenty five years ago nearly all the sheep is his country were merinos, grown mainly for wool, and mutton was the incident. At this time a majority of the sheep of the country are raised for mutton, and wool is the incident. Twenty five years ago sneep were sent to market when they were four or five years old and averaged eight? to ninety-five pounds. Now sheep are marketed earlier and average 105 to 120 pounds. The ewes sold in the market at the present time outweigh the wethers of former years.

# Calling for Credentials.

TO THE EDITOR OF THE SUN-Sir: By whom were "Blue Point" and "Major Max" appointed janitors of the English language? "Blue Points" communication is triffing and to be ignored. Major Max's" pretentious display of erudition in quoting St. Lambert and the Goncourts does not qualify him as a critic of THE SUN nor of THE SUN'S correspondent "G. R. P., Jr.," in the latter's humorous use of the word "nuance" in connection with NEW YORK, May 6.

### Chicago Women to Wear Sandals. From the Chicago Daily News.

Nearly 1,000 Chicago women will wear sandais this summer, local shoe dealers predict. One firm already has laid in a stock of several hundred in adult sizes, as well as sizes for children. The women of Chicago don't need the support of & physical culture club to give them courage to go sandaling.

# The Situation.

Knicker-What do you think of the Republican Bocker-The chauffeur won't let the owner ride in the machine.

## Only Thing Left. Knicker-Roosevelt wants to dictate his suc-

Bocker-He will want to run the Glants next.

Principal Factors, Knicker-On what does prosperity depend? Bocker-The barn and the White House.